



Attorney Docket: 071469-0307698

Client Reference: PC8022A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of:

Confirmation Number: 3597

HARADA ET AL.

Group Art Unit: 2125

Application No.: 10/776,452

Filed: February 12, 2004

Examiner: Not Yet Assigned

Title: METHOD FOR AUTOMATIC CONFIGURATION OF PROCESSING SYSTEM

PETITION UNDER 37 C.F.R. § 1.47(a)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants, Satoshi Harada, Edward C. Hume III, James E. Willis, Kevin A. Chamness, Hieu A. Lam and Hongyu Yue, hereby petition the Commissioner to accept the filing of the above-identified application by other than all of the co-inventors thereof. The Rule 63 Declaration accompanying the present application has been duly executed by Messrs. Harada, Hume, Willis, Chamness, Lam and Yue, on behalf of themselves and, pursuant to 37 C.F.R. § 1.47(a) and the provisions set forth in M.P.E.P. § 409.03(a), on behalf of Inventor David Fatke, who, as noted below, has refused to join this application.

All of the named inventors are current or former employees of Tokyo Electron America, Inc., a subsidiary of the Assignee, Tokyo Electron Limited, Tokyo Japan. The following attempts by Dr. Eric Strang, senior engineer, at Tokyo Electron America, Inc., to contact co-inventor David Fatke, who is no longer employed by Tokyo Electron America, Inc., are documented below.

The last known home address of Mr. David Fatke is as follows: 8000 Davis Mountain Cove, Austin, Texas 78726.

The pertinent facts are as follows:

Mr. David Fatke is a co-inventor of Provisional Application Nos. 60/448,319, filed February 18, 2003, and 60/491,296, filed July 31, 2003, both of which are relied upon for priority for the above-captioned non-provisional patent application. The provisional assignment documents for these applications were sent to Mr. Fatke via Federal Express on September 19, 2003 (Exhibit A). No response was received from Mr. Fatke.

A second set of provisional assignment documents were sent to Mr. Fatke via Federal Express on November 7, 2003 (Exhibit B). Again, no response was received from Mr. Fatke.

A third set of provisional assignment documents were sent to Mr. Fatke via Federal Express on December 23, 2003 (Exhibit C). Still again, no response from Mr. Fatke.

The present non-provisional application was filed on February 12, 2004, claiming priority from the two aforementioned provisional applications.

A phone call was made by Dr. Strang to Mr. Fatke on March 4, 2004, who stated that he had accepted a new position with Advanced Micro Devices. Mr. Fatke further stated that he would execute the documents upon review of these documents by the legal department of Advanced Micro Devices (Exhibit D).

The declaration and assignment documents and a copy of the filed non-provisional application were sent to Mr. Fatke via Federal Express on March 5, 2004 (Exhibit E). Again, there was no response by Mr. Fatke.

On July 9, 2004, the declaration and assignment documents and a copy of the filed non-provisional application were sent by Dr. Strang to Mr. Fatke via certified mail (Exhibit F). Dr. Strang received the receipt postcard (Exhibit G), indicating that the certified mail was accepted on July 22, 2004 at Mr. Fatke's aforementioned Austin, Texas address. Again, there continues to be no response from Mr. Fatke.


Copies of the cover letters, dated March 4, 2004 and July 9, 2004, which forwarded the patent application as filed as well as the declaration and assignment documents, are submitted in Exhibit H.

It is submitted that a *bona fide* attempt was made to obtain Mr. Fatke's signature. Therefore, this application is being filed without the signature of David Fatke.

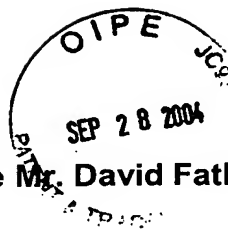
The Petition fee of \$130.00, which is set forth in 37 C.F.R. § 1.17(h), is enclosed.

Applicants respectfully request a timely grant of this Petition.

Respectfully submitted,  
PILLSBURY WINTHROP LLP

  
JEFFREY D. KARCESKI  
Reg. No. 35914  
Tel. No. (703) 905-2110  
Customer No.: 00909

Date: September 28, 2004  
P.O. Box 10500  
McLean, VA 22102  
(703) 905-2000



## History of attempts to have Mr. David Fatke execute a Declaration and Assignment

Exhibit A – Documents sent via Federal Express on September 19, 2003. No response.

Exhibit B - Documents sent via Federal Express on November 7, 2003. No response.

Exhibit C - Documents sent via Federal Express on December 23, 2003. No response.

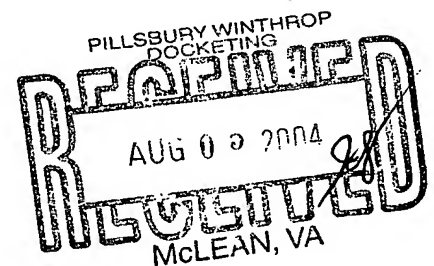
Exhibit D – Phone call made to Mr. David Fatke on March 4, 2004. He informed me he accepted a new position with Advanced Micro Devices. He informed me he would execute the documents upon review by the AMD legal department.

Exhibit E - Documents sent via Federal Express on March 4, 2004. No response.

Exhibit F – Documents sent via certified mail on July 9, 2004.

Exhibit G – Receipt postcard from documents sent on July 9, 2004. Postcard received indicates date of July 22, 2004.

Exhibit H – Cover letters, Declarations, and Assignments sent during March 4, 2004, and July 9, 2004 transmissions. Patent applications included within package.



**FedEx**® USA Airbill  
Express

FedEx Tracking Number 847632956619

1 From Please print and press hard Sender's FedEx Account Number 179926776

Date 9/19/03

Sender's Name Eric Strong Phone 48015074836

Company Tokyo Electronic America

Address 2120 W Guadalupe Rd

City Glendale State AZ ZIP 85233

Your Internal Billing Reference OPTIONAL

To Recipient's Name David Fatke Phone 51219182609

Company

Address 8000 Davis Mountain Cove

To "HOLD" at FedEx location, print FedEx address.

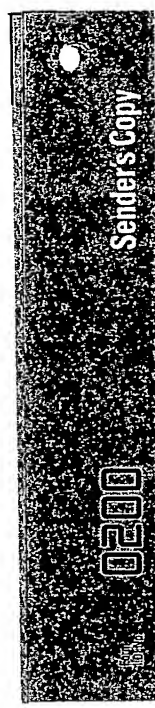
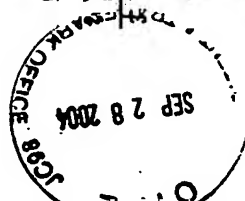
Address

City Austin State TX ZIP 78726

Try online shipping at [fedex.com](http://fedex.com)

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**4a Express Package Service**

Delivery commitment may be later in some areas.

☒ FedEx Priority Overnight ☐ FedEx Standard Overnight

Next business morning ☐ Next business afternoon

☐ FedEx 2Day ☐ FedEx Express Saver

Second business day ☐ Third business day

FedEx Envelope rate not available. Minimum charge: One-pound rate.

**4b Express Freight Service**

Delivery commitment may be later in some areas.

☐ FedEx 1Day Freight\* ☐ FedEx 2Day Freight

Next business day ☐ Second business day

☐ FedEx 3Day Freight

Third business day

\* Call for Confirmation.

**5 Packaging**

☐ FedEx Envelope\* ☒ FedEx Pak\* ☐ Other

Includes FedEx Small Pak, FedEx Large Pak, and FedEx Surety Pak

**6 Special Handling**

Include FedEx address in Section 3.

☐ SATURDAY Delivery ☐ HOLD Weekday ☐ HOLD Saturday

Available ONLY for FedEx Priority Overnight and FedEx 2Day to select ZIP codes. NOT Available for FedEx First Overnight.

Available ONLY for FedEx 2Day to select locations.

Does this shipment contain dangerous goods?

☐ No ☐ Yes ☐ As per attached Shipper's Declaration not required ☐ Shipper's Declaration not required

Dangerous Goods (including Dry Ice) cannot be shipped in FedEx packaging.

**7 Payment Bill to:** ☒ Sender ☐ Recipient ☐ Third Party ☐ Credit Card ☐ Cash/Check

Enter FedEx Acct. No. or Credit Card No. below.

FedEx Acct. No.  Exp. Date

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Total Packages  Total Weight  Total Declared Value\*

FedEx Use Only

**8 Release Signature** Sign to authorize delivery without obtaining signature.

Your liability is limited to \$100 unless you declare a higher value. See back for details.

By signing you authorize us to deliver this shipment without obtaining a signature and agree to indemnify and hold us harmless from any resulting claims.

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446

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From: ERIC EJS STRANG (480)507-4836  
TOKYO ELECTRON AMERICA  
2120 WEST GUADALUPE ROAD  
GILBERT, AZ, 85233



FedEx



To: David Fatke (512)918-2609

8000 Davis Mountain Cove

Austin, TX, 78726

Ref: PC6001A-CN-01



DELIVERY ADDRESS BARCODE (FEDEX-EDR)

TRK # 7925 0676 7550

FedEx PRIORITY OVERNIGHT

AUS

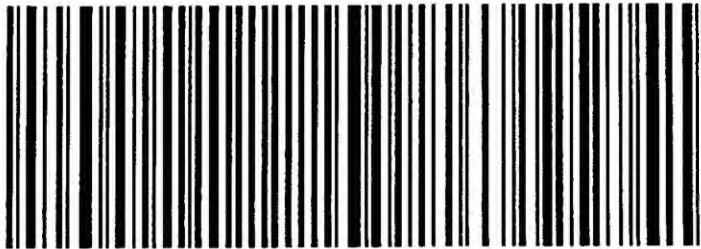
78726-TX-US

XH MMRA

SHIP DATE: 07NOV03  
WEIGHT: 1 LBS

MON

A2

Deliver by:  
10NOV03

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GILBERT, AZ, 85233

REVENUE BARCODE



FedEx.

To: David Fatke (512)918-2609

8000 Davis Mountain Cove

Austin, TX, 78726

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WEIGHT: 1 LBS

Ref:



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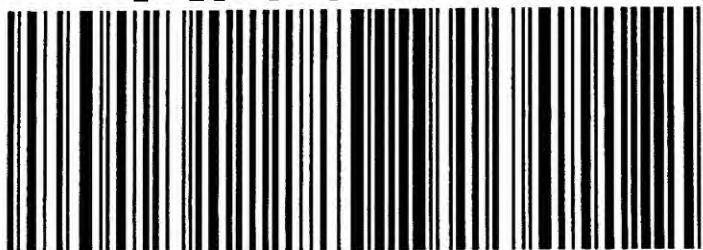
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D

# TELEPHONE CALL TO David FATKE

March 4, 2004 — 512-918-2609 (H) (left message)  
512-731-0769 (cell) (made contact)

PC6001A

PC8022A

PC6041A

- \* Agreed to send documents for a<sup>th</sup> time
- \* AND Legal to review

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From: ERIC EJS STRANG (480)507-4836  
TOKYO ELECTRON AMERICA  
2120 WEST GUADALUPE ROAD  
GILBERT, AZ, 85233

REVENUE BARCODE

**FedEx.****To: David Fatke (512)918-2609****8000 Davis Mountain Cove****Austin, TX, 78726**

SHIP DATE: 05MAR04  
WEIGHT: 1 LBS

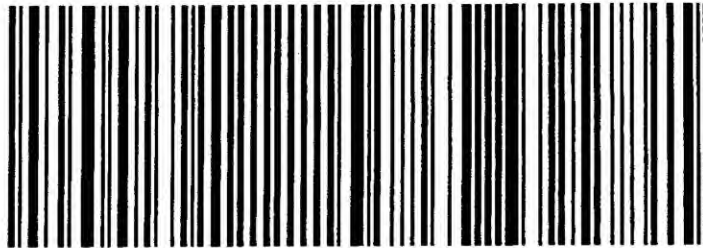
Ref:



DELIVERY ADDRESS BARCODE(FEDEX-EDR)

**TRK # 7911 7147 8968 6201****FedEx PRIORITY OVERNIGHT****AUS****78726-TX-US****XH MMRA****MON  
A2**

Deliver by:  
**08MAR04**



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F

U.S. Postal Service  
**CERTIFIED MAIL RECEIPT**  
(Domestic Mail Only; No Insurance Coverage Provided)

7000 0520 0017 1356 9813

Eric Strang	
Postage	\$ 2.90
Certified Fee	2.30
Return Receipt Fee (Endorsement Required)	1.75
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 6.95

7/9/04

Postmark  
Here

Recipient's Name (Please Print Clearly) (To be completed by mailer)  
David Fatke  
Street, Apt. No.; or PO Box No.  
8000 Davis Mountain Cove  
City, State, ZIP+4  
Austin TX 78726

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G

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

David Fatke  
8000 Davis Mountain Cove  
Austin, Texas  
78726

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

Mary J. Fatke

☐ Agent

☐ Addressee

B. Received by (Printed Name)

Mary J. Fatke

C. Date of Delivery

7/22/04

D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail

☐ Express Mail

☐ Registered

☒ Return Receipt for Merchandise

☐ Insured Mail

☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

2. Article Number

(Transfer from service label)

7000 0520 0017 1356 9813

PS Form 3811, August 2001

Domestic Return Receipt

102595-01-M-2509



TOKYO ELECTRON AMERICA, INC.



2120 W. Guadalupe Road  
Gilbert, Arizona 85233

Phone: (480) 539-2000  
Facsimile: (480) 539-2001

DIRECT: 480-507-4836  
DIRECT FAX: 480-507-3115

March 5, 2004

David Fatke  
8000 Davis Mountain Cove  
Austin, TX 78726  
United States of America

FEDERAL EXPRESS

RE: Patent Documents

Dear David:

Attached are copies of US Non-provisional application entitled "METHOD AND APPARATUS FOR ENDPOINT DETECTION USING PARTIAL LEAST SQUARES" (PC6001A), and US PCT Application entitled "METHOD FOR AUTOMATIC CONFIGURATION OF A PROCESSING SYSTEM" (PC8022A). Also attached, you will find the associated documents for signature.

Please execute the associated documents, and return at your earliest convenience.

If you have any questions please contact me as soon as possible (480-507-4836; [estrang@phx.telusa.com](mailto:estrang@phx.telusa.com)).

Regards

Eric Strang, Ph.D.  
[estrang@phx.telusa.com](mailto:estrang@phx.telusa.com)  
Principal Engineer  
Tokyo Electron America, Inc  
Intellectual Property Group



TOKYO ELECTRON AMERICA, INC.

2120 W. Guadalupe Road  
Gilbert, Arizona 85233

Phone: (480) 539-2000  
Facsimile: (480) 539-2001

DIRECT: 480-507-4836  
DIRECT FAX: 480-507-3115

March 5, 2004

David Fatke  
8000 Davis Mountain Cove  
Austin, TX 78726  
United States of America

FEDERAL EXPRESS

RE: Patent Concept PC8022A  
Case Type: US Provisional & US Non-provisional  
Title: METHOD FOR AUTOMATIC CONFIGURATION OF A PROCESSING  
SYSTEM

Dear David:

Attached is a copy of the above-identified US Non-provisional application entitled "METHOD FOR AUTOMATIC CONFIGURATION OF A PROCESSING SYSTEM". Also attached, you will find a Declaration for this patent application (PC8022A2), an Assignment of the US Origin Patent Application (PC8022A2), an Assignment of Provisional Patent Application (PC8022A), and an Assignment of Provisional Application (PC6041A). As a reminder, the enclosed US Non-provisional application combines US Provisional Application Serial No. 60/448,319 (PC8022A) and US Provisional Application Serial No. 60/491,286 (PC6041A), and claims the benefit of priority to both provisional applications.

Please execute the associated documents, and return at your earliest convenience.

If you have any questions please contact me as soon as possible (480-507-4836; [estrang@phx.telusa.com](mailto:estrang@phx.telusa.com)).

Regards

Eric Strang, Ph.D.  
[estrang@phx.telusa.com](mailto:estrang@phx.telusa.com)  
Principal Engineer  
Tokyo Electron America, Inc  
Intellectual Property Group

**FOR UTILITY  
ORIGINAL  
DECLARATION**

**RULE 63 (37 C.F.R. 1.63)  
DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATION  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**



As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name, and I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the **INVENTION ENTITLED METHOD FOR AUTOMATIC CONFIGURATION OF PROCESSING SYSTEM**, the specification of which was filed on February 12, 2004 as U.S. Application No. 10/776,452.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose all information known to me to be material to patentability as defined in 37 C.F.R. 1.56. Except as noted below, I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT International Application which designated at least one other country than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate, or PCT International Application, filed by me or my assignee disclosing the subject matter claimed in this application and having a filing date (1) before that of the application on which priority is claimed, or (2) if no priority claimed, before the filing date of this application:

**PRIOR FOREIGN APPLICATION(S)**

Number	Country	Filed	Date First Laid Open Or Published	Date Patented or Granted	Priority Claimed

Except as noted below, I hereby claim domestic priority benefit under 35 U.S.C. 119(e) or 120 and/or 365(c) of the indicated United States applications listed below and PCT International applications listed above or below and, if this is a continuation-in-part (CIP) application, insofar as the subject matter disclosed and claimed in this application is in addition to that disclosed in such prior applications, I acknowledge the duty to disclose all information known to me to be material to patentability as defined in 37 C.F.R. 1.56 which became available between the filing date of each such prior application and the national or PCT international filing date of this application:

**PRIOR U.S. PROVISIONAL, NONPROVISIONAL AND/OR PCT APPLICATION(S)**

Application Number	Filed	Status pending, abandoned, patented	Priority Claimed
60/448,319	February 18, 2003	abandoned	Yes
60/491,286	July 31, 2003	abandoned	Yes

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

And I hereby appoint Pillsbury Winthrop LLP, Intellectual Property Group, (to whom all communications are to be directed), and persons of that firm who are associated with USPTO Customer No. 00909 individually and collectively my attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith and with the resulting patent, and I hereby authorize them to delete from that Customer No. names of persons no longer with their firm, to add new persons of their firm to that Customer No., and to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/ organization who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct the above Firm and/or an attorney of that Firm in writing to the contrary.

**Power of Attorney to Customer Number**

**00909**

**INVENTOR'S SIGNATURE:**

**Date:**

Name	SATOSHI		HARADA	
	First	Middle Initial	Family Name	
Residence	Nirasaki City, Yamanashi		JAPAN	JAPAN
	City	State/Foreign Country	Country of Citizenship	
Mailing Address	1180-29Kitagejo, Fujii-cho, Nirasaki City, Yamanashi 407-003, JAPAN			

**INVENTOR'S SIGNATURE:**

**Date:**

Name	EDWARD		C	HUME III
	First	Middle Initial	Family Name	
Residence	Austin		TX	USA
	City	State/Foreign Country	Country of Citizenship	
Mailing Address	35 Sundown Parkway, Austin, TX 78746			

## INVENTOR'S SIGNATURE:

Date:

Name	JAMES	E	WILLIS
	First	Middle Initial	Family Name
Residence	Austin	TX	USA
	City	State/Foreign Country	Country of Citizenship
Mailing Address	704 Golf Crest Lane, Austin, TX 78734		

## INVENTOR'S SIGNATURE:

Date:

Name	KEVIN	ANDREW	CHAMNESS
	First	Middle Initial	Family Name
Residence	Austin	TX	USA
	City	State/Foreign Country	Country of Citizenship
Mailing Address	1730 Timber Ridge Road, #152, Austin, TX 78741		

## INVENTOR'S SIGNATURE:

Date:

Name	HIEU	A	LAM
	First	Middle Initial	Family Name
Residence	Richardson	TX	USA
	City	State/Foreign Country	Country of Citizenship
Mailing Address	5808 Abingdon Drive, Richardson, TX 75082		

## INVENTOR'S SIGNATURE:

Date:

Name	HONGYU		YUE
	First	Middle Initial	Family Name
Residence	Austin	TX	USA
	City	State/Foreign Country	Country of Citizenship
Mailing Address	5705 Janabyrd Lane, Austin, TX 78749		

## INVENTOR'S SIGNATURE:

Date:

Name	DAVID		FATKE
	First	Middle Initial	Family Name
Residence	Austin	TX	USA
	City	State/Foreign Country	Country of Citizenship
Mailing Address	8000 Davis Mountain Cove, Austin, TX 78726		

Atty. Dkt. No. 071469-0307698

**Rule 56(a) & (b) = 37 C.F.R. 1.56(a) & (b)**  
**PATENT AND TRADEMARK CASES - RULES OF PRACTICE**  
**DUTY OF DISCLOSURE**

- (a) Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the [Patent and Trademark] Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability. (b) information is material to patentability when it is not cumulative and (1) It also establishes by itself, or in combination with other information, a prima facie case of unpatentability of a claim or (2) refutes, or is inconsistent with, a position the applicant takes in: (i) Opposing an argument of unpatentability relied on by the Office, or (ii) Asserting an argument of patentability.

**PATENT LAWS 35 U.S.C.**

**§102. Conditions for patentability; novelty and loss of right to patent**

A person shall be entitled to a patent unless—

- (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for patent or
- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of the application for patent in the United States, or
- (c) he has abandoned the invention, or
- (d) the invention was first patented or caused to be patented, or was the subject of an inventor's certificate, by the applicant or his legal representatives or assigns in a foreign country prior to the date of the application for patent in this country on an application for patent or inventor's certificate filed more than twelve months\* before the filing of the application in the United States, or
- (e) the invention was described in
  - (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or
  - (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a); or
- (f) he did not himself invent the subject matter sought to be patented, or
- (g)
  - (1) during the course of an interference conducted under section 135 or section 291, another inventor involved therein establishes, to the extent permitted in section 104, that before such person's invention thereof the invention was made by such other inventor and not abandoned, suppressed, or concealed, or
  - (2) before such person's invention thereof, the invention was made in this country by another inventor who had not abandoned, suppressed, or concealed it. In determining priority of invention under this subsection there shall be considered not only the respective dates of conception and reduction to practice of the invention, but also the reasonable diligence of one who was first to conceive and last to reduce to practice, from a time prior to conception by the other.

**§103. Condition for patentability; non-obvious subject matter**

- (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

---

\* Six months for Design Applications (35 U.S.C. 172).

(b)(1) Notwithstanding subsection (a), and upon timely election by the applicant for patent to proceed under this subsection, a biotechnological process using or resulting in a composition of matter that is novel under section 102 and nonobvious under subsection (a) of this section shall be considered nonobvious if-

(A) claims to the process and the composition of matter are contained in either the same application for patent or in separate applications having the same effective filing date; and

(B) the composition of matter, and the process at the time it was invented, were owned by the same person or subject to an obligation of assignment to the same person.

(2) A patent issued on a process under paragraph (1)-

(A) shall also contain the claims to the composition of matter used in or made by that process, or

(B) shall, if such composition of matter is claimed in another patent, be set to expire on the same date as such other patent, notwithstanding section 154.

(3) For purposes of paragraph (1), the term "biotechnological process" means-

(A) a process of genetically altering or otherwise inducing a single- or multi-celled organism to-

(i) express an exogenous nucleotide sequence,

(ii) inhibit, eliminate, augment, or alter expression of an endogenous nucleotide sequence, or

(iii) express a specific physiological characteristic not naturally associated with said organism;

(B) cell fusion procedures yielding a cell line that expresses a specific protein, such as a monoclonal antibody; and

(C) a method of using a product produced by a process defined by subparagraph (A) or (B), or a combination of subparagraphs (A) and (B).

(c) Subject matter developed by another person, which qualified as prior art only under one or more of subsections (e), (f) and (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.



Please return signed/recorded to:  
Pillsbury Winthrop LLP  
Intellectual Property Group  
P.O. Box 10500  
McLean, VA 22102

Atty. Dkt.	PMS 307698	PC8022A2
	M#	Client Ref.

**ASSIGNMENT**  
**of U.S. Origin Patent Application**

WHEREAS, the undersigned, to wit:

1) <u>Satoshi HARADA</u>	2) <u>Edward C. HUME III</u>
3) <u>James E. WILLIS</u>	4) <u>Kevin A. CHAMNESS</u>
5) <u>Hieu A. LAM</u>	6) <u>Hongyu YUE</u>
7) <u>David FATKE</u>	8) _____

(hereinafter collectively ASSIGNOR), has/have made an invention known as Dkt. 071469-0307698

and entitled: METHOD FOR AUTOMATIC CONFIGURATION OF A PROCESSING SYSTEM

for which an application for Letters Patent of the United States

☐ was executed even date herewith and is about to be filed in the United States Patent and Trademark Office;

☒ was filed on February 12, 2004, Appln. No. 10/776,452 ;

AND WHEREAS Tokyo Electron Limited

(hereinafter ASSIGNEE), duly organized and existing under the laws of the Country of Japan

and having its principal office and place of business at 3-6, Akasaka 5-chome, Minato-ku, Tokyo 107, JAPAN

desires to acquire an interest therein;

NOW, THEREFORE, in consideration of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the said ASSIGNOR, does hereby sell, assign and transfer unto ASSIGNEE, its successors, assigns and legal representatives, the full and exclusive right, title and interest to the said invention in the United States and all foreign countries, as described in the aforesaid application, and to the said application and to all continuations, divisions, reissues and substitutes of said application, together with the right of priority under the International Convention for the Protection of Industrial Property, Inter-American Convention Relating to Patents, Designs and Industrial Models, and any other international agreements to which the United States of America adheres, and ASSIGNOR hereby authorizes and requests the Commissioner of Patents to issue said Letters Patent to ASSIGNEE, for its interest as ASSIGNEE, its successors, assigns and legal representatives.

AND ASSIGNOR hereby agrees to execute any papers requested by ASSIGNEE, its successors, assigns and legal representatives, deemed essential to ASSIGNEE's full protection and title in and to the invention hereby transferred.

ASSIGNOR furthermore agrees upon request of said ASSIGNEE, and without further remuneration, to execute any and all papers desired by said ASSIGNEE for the filing and granting of foreign applications and the perfecting of title thereto in said ASSIGNEE.

NOTE: The undersigned hereby authorizes Pillsbury Winthrop LLP of the above address to insert hereon any further identification necessary or desirable for recordation of this document.

Executed on the date(s) below indicated.

<u>Signature</u>	<u>Date Signed</u>	<u>Witness</u>
1) _____ Name: Satoshi HARADA	_____	_____
2) _____ Name: Edward C. HUME III	_____	_____
3) _____ Name: James E. WILLIS	_____	_____
4) _____ Name: Kevin A. CHAMNESS	_____	_____
5) _____ Name: Hieu A. LAM	_____	_____
6) _____ Name: Hongyu YUE	_____	_____
7) _____ Name: David FATKE	_____	_____
8) _____ Name: _____	_____	_____

Please return signed/recorded to:  
Pillsbury Winthrop LLP  
Intellectual Property Group  
P.O. Box 10500  
McLean, VA 22102

For USA origin invention

Atty. Dkt. P 301711  
M#

PC8022A  
Client Ref.

**ASSIGNMENT  
OF PROVISIONAL  
PATENT APPLICATION**

FOR  
PROVISIONAL  
APPLICATION  
ONLY

**For Sole or Joint  
Inventors**

WHEREAS, the undersigned inventor(s), namely:

INSERT  
NAME(S) OF  
INVENTOR(S)

(1) Satoshi HARADA	(2) Edward Carl HUME, III
(3) James Edward WILLIS	(4) Kevin Andrew CHAMNESS
(5) Hieu A. LAM	(6) Hongyu YUE
(7) David FATKE	(8)

(hereinafter collectively ASSIGNOR)

☐ is/are about to file a Provisional Patent Application in the U.S. Patent and Trademark Office;

☐ filed a Provisional Application in the U.S. Patent and Trademark Office on February 18, 2003  
Application No. 60/448,319

ENTITLED METHOD FOR AUTOMATIC CONFIGURATION OF A PROCESSING SYSTEM

AND WHEREAS Tokyo Electron Limited (hereinafter ASSIGNEE)

duly organized and existing under the laws of the Country of JAPAN and having its principal office  
and place of business at 3-6, Akasaka 5-chome, Minato-ku, Tokyo 107, JAPAN  
desires to acquire an interest therein;

NOW, THEREFORE, in consideration of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the said ASSIGNOR, does hereby sell, assign and transfer unto ASSIGNEE, its successors, assigns and legal representatives, the full and exclusive right, title and interest, in the United States and all foreign countries, to each invention as described in the aforesaid application, and to the said application and to all subsequent applications based thereon including any and all continuations, divisions, reissues and substitutes of such subsequent applications, together with the right or priority under the International Convention for the Protection of Industrial Property, Inter-American Convention Relating to Patents, Designs and Industrial Models, and any other international agreements to which the United States of America adheres.

AND ASSIGNOR hereby agrees to execute any papers requested by ASSIGNEE, its successors, assigns and legal representatives, deemed essential to ASSIGNEE's full protection and title in and to each invention hereby transferred.

ASSIGNOR furthermore agrees upon request of said ASSIGNEE, and without further remuneration, to execute any and all papers desired by said ASSIGNEE for the filing and granting of the aforesaid subsequent U.S. and of foreign applications and the perfecting of title thereto in said ASSIGNEE.

NOTE: The undersigned hereby authorizes Pillsbury Winthrop LLP of the above address to insert hereon any further identification necessary or desirable for recordation of this document.

**ASSIGNMENT**  
(continued)

Executed on the date(s) below indicated:

	<u>INVENTOR(S)</u>	<u>DATE SIGNED</u>	<u>WITNESSES</u>
1) Sig	_____	_____	_____
Name:	Satoshi HARADA	_____	_____
2) Sig	_____	_____	_____
Name:	Edward Carl HUME, III	_____	_____
3) Sig	_____	_____	_____
Name:	James Edward WILLIS	_____	_____
4) Sig	_____	_____	_____
Name:	Kevin Andrew CHAMNESSS	_____	_____
5) Sig	_____	_____	_____
Name:	Hieu A. LAM	_____	_____
6) Sig	_____	_____	_____
Name:	Hongyu YUE	_____	_____
7) Sig	_____	_____	_____
Name:	David FATKE	_____	_____
8) Sig	_____	_____	_____
Name:	_____	_____	_____

Please return signed/recorded to:  
Pillsbury Winthrop LLP  
Intellectual Property Group  
P.O. Box 10500  
McLean, VA 22102

For USA origin invention

Atty. Dkt. P 303912  
M#

PC6041A  
Client Ref.

**ASSIGNMENT  
OF PROVISIONAL  
PATENT APPLICATION**

FOR  
PROVISIONAL  
APPLICATION  
ONLY

**For Sole or Joint  
Inventors**

WHEREAS, the undersigned inventor(s), namely:

**INSERT  
NAME(S) OF  
INVENTOR(S)**

(1) Hieu A. LAM	(2) Kevin Andrew CHAMNESS
(3) Hongyu YUE	(4) David FATKE
(5) Satoshi HARADA	(6) Edward Carl HUME III
(7) James Edward WILLIS	(8)

(hereinafter collectively ASSIGNOR)

☐ is/are about to file a Provisional Patent Application in the U.S. Patent and Trademark Office;

☐ filed a Provisional Application in the U.S. Patent and Trademark Office on July 31, 2003

Application No. 60/491,286

**ENTITLED** METHOD FOR AUTOMATIC CONFIGURATION OF A PROCESSING SYSTEM

**AND WHEREAS** Tokyo Electron Limited (hereinafter ASSIGNEE)

duly organized and existing under the laws of the Country of JAPAN and having its principal office  
and place of business at 3-6, Akasaka 5-chome, Minato-ku, Tokyo 107, JAPAN  
desires to acquire an interest therein;

NOW, THEREFORE, in consideration of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the said ASSIGNOR, does hereby sell, assign and transfer unto ASSIGNEE, its successors, assigns and legal representatives, the full and exclusive right, title and interest, in the United States and all foreign countries, to each invention as described in the aforesaid application, and to the said application and to all subsequent applications based thereon including any and all continuations, divisions, reissues and substitutes of such subsequent applications, together with the right or priority under the International Convention for the Protection of Industrial Property, Inter-American Convention Relating to Patents, Designs and Industrial Models, and any other international agreements to which the United States of America adheres.

AND ASSIGNOR hereby agrees to execute any papers requested by ASSIGNEE, its successors, assigns and legal representatives, deemed essential to ASSIGNEE's full protection and title in and to each invention hereby transferred.

ASSIGNOR furthermore agrees upon request of said ASSIGNEE, and without further remuneration, to execute any and all papers desired by said ASSIGNEE for the filing and granting of the aforesaid subsequent U.S. and of foreign applications and the perfecting of title thereto in said ASSIGNEE.

**NOTE:** The undersigned hereby authorizes Pillsbury Winthrop LLP of the above address to insert hereon any further identification necessary or desirable for recordation of this document.

**ASSIGNMENT**  
(continued)

Executed on the date(s) below indicated:

	<u>INVENTOR(S)</u>	<u>DATE SIGNED</u>	<u>WITNESSES</u>
1) Sig	_____	_____	_____
Name:	Hieu A. LAM	_____	_____
2) Sig	_____	_____	_____
Name:	Kevin Andrew CHAMNESS	_____	_____
3) Sig	_____	_____	_____
Name:	Hongyu YUE	_____	_____
4) Sig	_____	_____	_____
Name:	David FATKE	_____	_____
5) Sig	_____	_____	_____
Name:	Satoshi HARADA	_____	_____
6) Sig	_____	_____	_____
Name:	Edward Carl HUME III	_____	_____
7) Sig	_____	_____	_____
Name:	James Edward WILLIS	_____	_____
8) Sig	_____	_____	_____
Name:	_____	_____	_____